

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

PixFusion LLC

SUMMONS IN A CIVIL ACTION

V.

Work In Progress Fabrications, Inc.

CASE NUMBER:

07 CV 10477

TO: (Name and address of Defendant)

Work In Progress Fabrications
312 Relay Road
Hobart, NY 13788

JUDGE DANIELS

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Marc A. Lieberstein, Esq.
John L. Dauer, Jr., Esq.
Day Pitney LLP
7 Times Square
New York, NY 10036
(212) 297-5800

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL MAHON

NOV 20 2007

CLERK

Wences Quintero

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.


Demovsky Lawyer Service

 Premier Nationwide Document Retrieval
and Process Service Company

 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

 -----X
PIXFUSION LLC,

Plaintiff(s),

-against-

 AFFIDAVIT OF SERVICE
07 CV 10477

WORK IN PROGRESS FABRICATIONS, INC.,

Defendant(s).

 -----X
STATE OF NEW YORK)
S.S.:
COUNTY OF ALBANY)

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 9TH day of May, 2008, at approximately the time of 12:30P.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS AND COMPLAINT WITH JURY DEMAND AND RULE 7.1 STATEMENT AND CIVIL COVER SHEET AND RULES OF JUDGE DANIELS AND RULES FOR MAGISTRATE FREEMAN upon WORK IN PROGRESS FABRICATIONS, INC., the defendant in this action, by delivering to and leaving with CAROL VOGT an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

CAROL VOGT is a white female, approximately 54 years of age, stands approximately 5 feet 3 inches tall, weighs approximately 105 pounds with brown hair and wears glasses.


DEBORAH LaPOINTE

 Sworn to before me this
9TH day of May, 2008

NOTARY PUBLIC

 Frank J. Panucci
Notary Public - State of NY
Qualified Notary Co.
Notary #11153
Comm. Exp. July 31, 2010

State of New York - Department of State
Receipt for Service

Receipt #: 200805090319
Date of Service: 05/09/2008
Service Company: 10 D.L.S. INC. - 10

Cash #: 200805090273
Fee Paid: \$40 - DRAWDOWN

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS
CORPORATION LAW

Party Served: WORK IN PROGRESS FABRICATIONS, INC.

Plaintiff/Petitioner:
PIXFUSION LLC

Service of Process Address:
WORK IN PROGRESS FABRICATIONS, INC.
P.O. BOX 288
HOBART, NY 13788

Secretary of State
By CAROL VOGT